

DATE:

APR 13 1982

SUBJECT: Telephone Conversation with Ira Nordlicht re Spring River

FROM: Daniel J. Shiel
Chief, LEGL-CNSL

TO: File

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| Site: <u>Syntex Verona</u> |
| ID # <u>1100007452154</u> |
| Break: <u>10.1</u> |
| Other: <u>4-13-82</u> |

ATTORNEY WORK PRODUCT
EXEMPT FROM FOIA

At about 3:15 p.m. on April 2, 1982, Mr. Nordlicht returned by earlier telephone call. We discussed the following items:

1. Dan Harris, as On-Scene Coordinator for the Denney Farm Site, had requested Ira's concurrence to communicate directly with Ray Forrester regarding emergency activities at that site. Ira indicated that he concurred and that he would provide a written statement of his concurrence to us. Dan Harris informed me yesterday afternoon that Ray Forrester was also involved in the speaking engagement in St. Louis this afternoon, that I had attempted to reach him on short notice after learning of that to make sure that Ira was aware that they would be on the same stage together at the same time. I told Ira that I could not advise Dan to totally ignore Ray during the meeting, but I did advise him to limit the discussion to those things not involving current activities and essentially the things that would be discussed as a part of the speaking engagement. Ira said he had no problem with this.

2. I told him that we had received the results of analyses of the samples collected from the drums on the Bill Ray property, which showed TCDD contamination in one of the two drums sampled. He asked what the concentration was, and I told him that while I did not have the written report of analysis, the number that had been given to me verbally was 160 parts per billion. Ira then asked what we were going to do with the drum or in the alternative what Mr. Ray was going to do with the drum on his property. I told him that no decision had been made as to what we would do yet, but that I had heard discussions including the idea of contacting Syntex to see if they would be willing to come pick up the drum and put it into storage with other dioxin contaminated materials. Ira, while not rejecting that idea out of hand, indicated that they had spent a lot of money cleaning up sites that they felt they had no legal or other obligation to do, and the general impression I got was that they would not comply with such a request if it were to be made.

3. I told him that we had received a report via a Springfield television station that there was a drum disposal site which we were not aware of located next to the fence by their property in Verona. Ira said that they had talked with the Springfield station and had indicated to them what the true nature of the site was. That is, that it is not really a site, it was an area used for burning materials prior to construction of their incinerator and that there were no drums disposed of on site. I

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told him that it was my understanding that there were some inspectors from the MDNR that had been on site, that I had not gotten a report back indicating what they had found. However, unless we got other information, we anticipated conducting an on-site inspection at that location the middle to the end of next week. I told him that we would like to do that with the concurrence of Syntex to come on their property as necessary and to have our technical people deal directly with the local Syntex people. He did not give me the approval to go on site, but did ask who in our office the local Syntex people could contact to explain the nature of the site. I gave them the names of Scott Ritchey, as the new Dioxin Coordinator, and Bob Morby, and indicated that their people were free to contact them to discuss the past activities at this site. Ira indicated that he would probably be on the telephone during that call. I told him that if I were available I'd participate, if not, I did not want to impede the flow of information from Syntex to EPA on the site.

4. I discussed with him why the letter I promised last week stating more specifically what our desires were regarding a commitment from Syntex on the Spring River had not been forthcoming. I told him that the activities involving the Bill Ray site and the allegations as to wastes buried on or adjacent to their facility had slowed down the development of the letter to him. I further explained that the nature of the commitment that would be discussed in the letter was that we desired to get a response from Syntex as to whether they were willing to sit down and discuss with us the sites that might be causing contamination in the Spring River and possible investigations to be conducted at those sites. I told him that it was our hope that if they were willing to sit down with us that we could meet with them the week of April 26. We could provide them with some of the information we have on the sites and to discuss various issues that they might want to raise and that Ira touched upon during our conversation regarding their responsibility for doing the investigation as well as the possibility of doing these an increment at a time. Ira indicated that the bad press that had resulted from the release of the Spring River information last week had made his job much more difficult in convincing the Syntex officials to accept our offer to discuss the sites, but that it was his belief that reasonable people getting together could come up with reasonable solutions so that it may be that they would want to talk with us. I told him that I was still drafting a letter and that I hope to have it go out early next week and he said he would get the letter and go from there.

5. I told him that we had received the analytical data from Gross on the downstream fish samples in the Spring River, and that the good news was they were found not to contain detectable levels of dioxin. I pointed out we did have samples that had not yet been analyzed that had been sent to Dr. Stallings, but we did expect to have the results of those analyses in 1 1/2 to 2 weeks. Ira asked if we were planning on releasing this information. I told him it was my understanding that discussions were

underway with the State of Missouri as to the manner in which the information would be released, and that it was my anticipation that we would release them in a similar manner as to the previous results. I indicated that as we did the last time, I assumed that we would wait until we had Dr. Stallings results before we would make a public release of the information.

6. The last item discussed with Ira was to advise him we had been invited to participate in a panel discussion at the Verona Lion's Club on Monday regarding the problem sites in the Verona area. It was my understanding that Syntex had also been invited to send a representative to this discussion. I told him that I had been advised that we would respectfully decline this invitation because we were not in a position to state what would be done at this time.

cc: Scott Ritchey, ARWM
Dan Harris, ENSV